

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICKEY JAMES BUCHHOLZ,

Defendant.

CR-21-58-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on August 18, 2023. (Doc. 103.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on August 17, 2023. (Doc. 99.) The United States accused Mickey Buchholz, (Buchholz) of violating his conditions of supervised release 1) by using marijuana; 2) by using methamphetamine on three separate occasions; and 3) by using cocaine. (Doc. 96.)

At the revocation hearing, Buchholz admitted to having violated the conditions of his supervised release by 1) by using marijuana; 2) by using methamphetamine on three separate occasions; and 3) by using cocaine. (Doc. 99.) Judge Johnston found that the violations Buchholz admitted prove serious and warrants revocation of his supervised release and recommends a sentence of 4 months, with 32 months of supervised release to follow, with the first 60 days of his supervised release in a secure inpatient drug treatment facility such as Connections Corrections. (Doc. 103.) Buchholz was advised appeal rights and his right to allocute before the undersigned. (Doc. 99.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 103) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Mickey James Buchholz be sentenced to the Bureau of Prison for 4 months with 32 months of supervised release to follow, with the first 60 days of his supervised release spent at a secure inpatient drug treatment facility such as Connections Corrections. Buchholz should be obtain full-time employment (40 hours a week) within 2 weeks of his release from the inpatient drug treatment facility. The sentence imposed in this case should run concurrent with the sentence imposed in Cause CR 22-34-BMM.

DATED this 11th day of September, 2023.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive, flowing style.

Brian Morris, Chief District Judge
United States District Court